

**Frederick County Roads Board**  
**Meeting Minutes of Monday, June 3, 2013**

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**~ Approved 9-9-13 ~**

**Present were:**

***Roads Board Members***

Barbara Windsor, Chairperson  
W. Peter Pearre, AIA, Vice Chairperson  
Paul Fitzgerald, AIA  
Steve Haller

***County Staff Members***

Commissioner Kirby Delauter  
Charles F. Nipe, Acting Director, Division of Public Works  
Robert Shen, P.E. Department Head, Department of Highways and Transportation  
William R. Routzahn, Superintendent, Office of Highway Operations  
Jason M. Stitt, P.E., Chief, Office of Transportation Engineering  
Dave Ennis, P.E., Chief, Office of Facilities Maintenance  
Dave Olney, Project Manager II, Office of Transportation Engineering  
Penny Bryant, Administrative Assistant, Division of Public Works

*(Official minutes of the Roads Board meetings are kept on file in the Department of Highways and Transportation office; the meetings are also video recorded. Draft and approved minutes are available on the county's website. To receive a copy of meetings recorded on videotape or DVD, please contact the Division of Public Works at 301 600 1129 or visit the county's website at [www.FrederickCountyMD.gov/roadsboard](http://www.FrederickCountyMD.gov/roadsboard).)*

**I. Call To Order and Pledge of Allegiance**

- A. The Frederick County Roads Board met on Monday, June 3, 2013, at 7:00 p.m. for their quarterly public meeting. The meeting was held in the Commissioner's Hearing Room, Third Floor, of Winchester Hall, 12 East Church Street, Frederick, Maryland. The meeting was called to order by Chairperson, Barbara Windsor and was followed by the recitation of the Pledge of Allegiance.
- B. Introduction of the members of the Roads Board was led by Ms. Windsor. Mr. Shen announced the recent retirement of former DPW Director Tom Meunier and introduced Charles Nipe, as DPW Acting Director. Mr. Shen also introduced the other County staff members.

**II. Public Comments:** At 00:0:39 of the video

- A. Public comment was heard from:
  - 1. Susan Hanson, 3205 Poffenberger Road, Jefferson, Maryland – Requested permission to hold comments and speak on the Rural Roads Program and Poffenberger Road.
  - 2. Donald Upchurch, Shoemaker Road, Taneytown, Maryland – chose to hold comments in case he had questions.
  - 3. Kurt Grauf, 12230 Shoemaker Road, Taneytown, Maryland – concerned about excessive speeding on road, widening of road, and trees being cut along road.

4. Paul Allen, 12626 Shoemaker Road, Taneytown, Maryland – handed out notes with photographs to the Board and County staff. Concerned about grading & widening of road.
5. George R. Hanlin, Woodville Road, Mt. Airy, Maryland, President of Taneytown Rod & Gun Club on Shoemaker Road. Wanted to give thanks for a job well done. Stated that there are some speeding concerns.
6. David M. Fitzgerald, 12314 Shoemaker Road, Taneytown, Maryland – Wants road to continue being maintained so that it is safe to ride on. Concerned about turn in road; potholes that occur in road around turn; and large equipment, including fire engines, having problems getting around turn.

### III. Old Business At 00:26:48 of the video

- A. Approval of minutes of March 4, 2013. Upon a motion by Mr. Pearre and seconded by Mr. Haller the minutes were approved as presented.
- B. Buck Lantz Road Drainage Issue – Bill Routzahn handed out photos to the Board members (*See Attachment "A"*). The scope of road has been re-elevated and a pipe outlet area was enhanced. Mr. Routzahn stated that he spoke with property owners and they seem very happy with it.

### IV. New Business At 00:28:05 of the video

- A. Recommendation for Appointment to the Roads Board – Mr. Pearre was up for reappointment to the Board. There being no other applicants or nominees, the Board voted to reappoint Mr. Pearre.
- B. Shoemaker Road – Staff sent a letter to property owners on Shoemaker Road inviting them to attend this meeting. (*See Attachment "B"*)

Dave Olney presented a staff report including a handout with photos to the Board members. (*See Attachment "C"*). Photos of an Emmitsburg fire engine rounding the curve on Shoemaker Road was also given to the Board members. (*See Attachment "D"*)

Staff Recommendations included three options:

- Option A: Stabilization with tar and chips. Stabilization would require a public hearing process and BoCC approval to remove it from the Rural Roads Program. Cost estimate is over \$400,000.
- Option B: Annual width surveys. Cost estimate \$1,500 per year.
- Option C: Continue current maintenance practices without any changes.

After discussion and comments by the Board, Mr. Haller requested that the audience members have the opportunity to come forward and voice their preferences to the three options that were presented in the staff report.

Additional Public Comments:

1. Susan Hanson – Gave a brief history on the Rural Roads Program. Suggested traffic calming devices such as gravel swales or planting trees along the road.
2. Joshua Reels, 16915 Bullfrog Road, Taneytown, Md. Commented that staff did a great job and did what they were asked to do. Concerns that drainage issues on other parts of road may need to be addressed. Agreeable to Option B.
3. Donald Upchurch – Agreeable to Option B.
4. Paul Allen – Commented that if points are taken that the markers be placed deep enough in road so that they cannot be removed. Agreeable to GPS points being used.
5. George Hanlin – Agreeable to Option B, and have speed bumps put in the improved section of the road.
6. Charles Nipe - Thanked the Board for hearing this issue and stated that staff is agreeable to Option B with GPS points being taken.
7. Kurt Grauf – Concerned about right-of-way width and how far away from the road he can plant trees. R. Shen said staff would look at the plat for his property and get back to him.

Mr. Pearre requested that staff provide the Roads Board with information on the standard for right-of-ways for County roads.

8. David Fitzgerald – Preferred Option C

Mr. Haller made a motion to recommend Option B per staff recommendation. The motion was seconded by Mr. Pearre.

Mr. Haller asked for an amendment to his motion that the initial GPS points be taken and any subsequent measurements be taken at the discretion of the Director. There was no second to the amendment, the amendment failed.

Mr. Fitzgerald asked for an amendment to the motion that County staff continue to measure the GPS points each year for a period of three (3) years after the points have been established and report back to the Board. After some discussion, Mr. Fitzgerald withdrew his motion.

Mr. Pearre asked for an amendment to the original motion that in year one, points be established, and that three (3) years later the County go back and see if those points are still on the edge of the road. Maintenance would continue during that time. Mr. Fitzgerald seconded the amended motion. The motion carried by majority with Mr. Haller being opposed.

## **V. CIP and Other Project Updates (Presented by Mr. Stitt) At 01:39:58 of the video**

### **A. Ijamsville Road Phase I**

- Ijamsville Road from Ball Road to Prices Distillery Road (Contract "A" Extension) opened to traffic May 9, 2013.
- Ijamsville Road Contract B (Prices Distillery Road to 500' North of the railroad crossing) working on the final right-of-way settlements. Anticipate getting those finished and going out to bid with construction starting this fall.

### **B. Ijamsville Road Phase II**

- Extends from the railroad tracks north to MD 144. Need to get right-of-way agreements for two (2) remaining properties, and some permitting for utility relocation. Anticipate being ready to bid this fall. Will coordinate the start of construction with Contract B.

### **C. Boyers Mill Road/Bridge**

- Bridge project - Land acquisition is complete. Waiting for Federal Highway authorization to bid. Anticipate receiving authorization in late June or early July. Construction would start in the fall of 2013.
- Road project - Staff attended the LLA annual meeting in May and provided an update on the road and bridge project. In the process of coordinating with property owners. At 30% design working towards 60%. Have met with or have scheduled to meet with 50 property owners. Will begin negotiations for final design for the north side of project.

### **D. Pavement Management Program**

- Tar and Chip – Working with a paving consultant on condition evaluation
- FY'14 FDR, Patching contracts – In process of getting out to bid
- FY'13 Chip Seal Pilot – Completed last week
- FY'13 Overlay –Completed including the work on Boyers Mill Road approach to Old National Pike.
- FY'13 Surface Coat – Bid awarded on May 23, 2013.

- E. New Traffic Signal at Old National Pike and Bartholows Road - Completed on April 11, 2013. There were some timing issues that have since been worked out.

**VI. Highway Operations Updates (Presented by Mr. Routzahn) At 01:45:00 of the video**

- A. Adopt-A-Road Program – Volunteers are trained for road safety, and given road work signs. They pick up trash along the road, bag it and Highway Operations picks it up. There are currently 32 teams throughout the County signed up for the program, and they are picking up trash on 66.85 miles of roadway. Mr. Routzahn extended a thank you to all the volunteers.
- B. Poffenberger Road – Went through a test cycle, it was the County's first DSA road. There were some issues that have been repaired.

**VII. Roads Board Issues At 01:46:47 of the video**

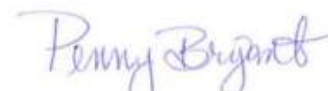
- A. Ms. Windsor asked about snow. Mr. Routzahn reported that the contingency fund was used to fill the salt barns and they are now 80% stocked.
- B. Mr. Haller asked since the aggregate test did not prove to be a viable solution why are they still using it on Poffenberger Road. Mr. Routzahn explained that they reused the material that was already there and if it stays compacted they should not have to re-grade every fall and spring. Dave Olney explained that the maintenance cost was less, but not low enough to justify the installation cost.
- C. Mr. Fitzgerald asked if there was anything to report on Tower Road improvements. Staff will review and report if there were improvements at the next Roads Board meeting.
- D. Ms. Windsor thanked staff for the effort they put forward on Shoemaker Road.

**Adjournment At 01:52:38 of the video**

There being no further business Ms. Windsor adjourned the meeting at 8:53 p.m.

The next meeting will be held Monday, September 9, 2013, at 7:00 p.m. in the Third Floor Hearing Room of Winchester Hall, 12 East Church Street, Frederick.

Respectfully submitted,



Penny Bryant, Administrative Assistant  
Division of Public Works

PMB

**cc: All via Email**

All Attendees

Ragen Cherney, Administrative Analyst, County Manager's Office

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**Note:** Please use the following to view the meeting, access the agenda and the meeting minutes.

- Roads Board Meetings (actual): [www.FrederickCountyMD.gov/media](http://www.FrederickCountyMD.gov/media)
- Roads Board Agenda: [www.FrederickCountyMD.gov/roadsboard](http://www.FrederickCountyMD.gov/roadsboard)
- Roads Board Meeting Minutes: [www.FrederickCountyMD.gov/roadsboard](http://www.FrederickCountyMD.gov/roadsboard)





*Buck Lantz Road*





**FREDERICK COUNTY GOVERNMENT**  
**DIVISION OF PUBLIC WORKS**

*Charles F. Nipe, Acting Director*

*Department of Highways and Transportation*  
*Yau-Ming (Robert) Shen, P.E., Department Head*

118 North Market Street  
Frederick, Maryland 21701

[www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov)

O: 301-600-1687 F: 301-600-2355

**Commissioners**

Blaine R. Young  
*President*

C. Paul Smith  
*Vice President*

Billy Shreve  
David P. Gray  
Kirby Delauter

Lori L. Depies, CPA  
*County Manager*

May 24, 2013

**SAMPLE LETTER**

Re: Shoemaker Road

Dear:

As a resident of Shoemaker Road, you are cordially invited to attend the June 3, 2013, Frederick County Roads Board meeting, scheduled to begin at 7 P.M. at Winchester Hall, located at 12 East Church Street, Frederick, Maryland, 21701.

As you may be aware, maintenance issues regarding Shoemaker Road have been a topic of discussion for several years. It is the County's hope to meet with the residents of Shoemaker Road as a group to resolve these issues. We strongly encourage all of the property owners along Shoemaker Road to attend the Roads Board meeting, where staff will give a short presentation and be available to answer questions. Attendees will be allowed to make brief statements during the Public Comments portion of the meeting.

Please feel free to contact Mr. Dave Olney regarding any issues pertaining to Shoemaker Road in advance of the meeting. I can be reached at (301) 600-2930, or at [dolney@frederickcountymd.gov](mailto:dolney@frederickcountymd.gov).

Sincerely,

Robert Shen, P.E., Department Head

RS:dso

cc: Reading File  
File Copy





**FREDERICK COUNTY GOVERNMENT  
DIVISION OF PUBLIC WORKS**

*Charles F. Nipe, Acting Director*

*Department of Highways and Transportation  
Yau-Ming (Robert) Shen, P.E., Department Head*

118 North Market Street  
Frederick, Maryland 21701

[www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov)

O: 301-600-1687 F: 301-600-2355

**Commissioners**

Blaine R. Young  
*President*

C. Paul Smith  
*Vice President*

Billy Shreve  
David P. Gray  
Kirby Delauter

Lori L. Depies, CPA  
*County Manager*

**MEMORANDUM**

To: Frederick County Roads Board

Through: Charles F. Nipe, Acting Director, Division of Public Works *Cu*  
Robert Shen, P. E., Department Head, Dept. of Highways and Transportation *RS*  
Jason Stitt, P. E., Chief, Office of Transportation Engineering *JMS*

From: David S. Olney, Project Manager II, Office of Transportation Engineering *DSO*

Date: May 28, 2013

RE: Shoemaker Road

**Background:**

Shoemaker Road is partially surfaced with gravel and is listed in the Rural Roads Program. The maintenance practices of the County have been questioned by the residents in this area for several years. The residents allege that the County is surreptitiously attempting to widen the gravel portion of the road during its regular maintenance activities.

While the Rural Roads Program "discontinues the practice of 'automatic' stabilization (tar and chipping) of dirt and gravel roads", it "provide[s] continuing maintenance of gravel roads, allowing for localized, necessary, safety accommodations".

**Discussion:**

A road can be composed of several features, such as the travelled way, shoulders, and drainage ditches, and other appurtenances such as roadside signs, guardrails, drainage pipes, culverts, bridges, etc. Any road features that exist in a given location are considered the maintenance responsibility of the Department of Highways and Transportation. Road maintenance must include all road features and appurtenances for the road to function as intended.

Factors such as the surrounding landscape, drainage characteristics, available right of way, traffic patterns, etc. will affect the size and design of these features and appurtenances. There can be some variation from one road to another, and from one place to another on the same road, depending on the circumstances.

Shoemaker Road is a local road in a primarily agricultural area and experiences very low traffic volumes. The most recent traffic volume data available is from 2008 when 32

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vehicles per day were observed at the Carroll County line.

It is not unusual for motorists on lightly travelled gravel roads to drive down the center of the travelled way, leaving the edges lightly used. This pattern of use allows the ditches, shoulders, and outer edges of the travelled way to become obscured with debris, loose stones, and vegetation, which changes the appearance of the road, making it look narrower than it actually is.

When the Office of Highway Operations performs maintenance on the gravel portion of Shoemaker Road it uses the same techniques and equipment used on other gravel roads throughout the County. This maintenance work involves grading on the travelled way and work outside of the travelled way, such as the removal of accumulated material from road ditches to restore the positive drainage of the ditch lines. This work results in a "raw" appearance as the vegetation and other matter that accumulated in the ditch and on the edges of the road is removed, exposing bare soil and aggregate. The exposed soil may look like widening work, but no significant change to the road width (measured from outside edge of ditch to outside edge of ditch) has actually occurred.

This issue has been investigated and addressed by staff several times in the past. For example, staff produced a detailed report for the County Manager, dated May 8, 2009, in response to a letter from a resident on Shoemaker Road (Attachment 1).

Included on page four are two photographs of vehicles passing one another on Shoemaker Road. One was taken in the early 1990's, and was referenced in testimony to the Court of Special Appeals of Maryland heard during the September Term, 1994. The other was taken on May 7, 2013. These photos were taken in the same general location, approximately .2 miles east of Bollinger School Road. Note that the trucks are tilted due to the position of their outer wheels in the roadside ditch. These two photos indicate that the road facility width has not been significantly altered over the intervening 19 years.

Aerial photographs of the area also indicate that no significant change has been made to the width or alignment of Shoemaker Road since 1988, when the earliest available discernible aerial photograph was taken. Two examples, one from 1988 and another from 2011 are provided on pages five and six. These photographs and others are viewable in the County's "Info at a Glance" GIS mapping service, found at <http://webmaps.frederickcountymd.gov/>.

Frederick County does not systematically widen County roads as part of its regular maintenance activities. Limited widening at a specific location is allowed under the Rural Roads Program if made for safety reasons.

If the alleged widening on Shoemaker Road had actually occurred, the cumulative effect over the past two decades would result in a road that is 20 or more feet wider than it was in 1988. A difference of this magnitude would be readily identifiable in the annual maintenance photographs or in the periodic aerial photographs.

#### **Conclusion:**

While the County understands that regular maintenance may appear to widen the road, this work does not alter the size of all road features that may be present at a given location.



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**Recommendation:**

There are other options that can be considered to define the road feature limits and identify any future road width changes. They include:

**Option A - Stabilization with tar and chips**

- Stabilization will result in a "hard" surface with easily identified limits.
- Stabilization would require a public hearing process and BoCC approval to remove it from the Rural Roads Program.
- Stabilization of the gravel portion of Shoemaker Road is estimated to cost \$409,000. Minimal preparatory work, such as placement of 6" of graded aggregate base with calcium, is estimated to cost \$323,000. Additional preliminary work would increase the cost of the project, to a degree dependent on the scope of work. An additional \$86,600 would be required for installation of three layers of stone chips and asphalt emulsion.

**Option B – Annual width surveys**

- Road width, measured from outside of ditch to outside of ditch, will be documented on an annual basis at regular intervals along the gravel portion of Shoemaker Road.
- Annual survey and report preparation work is estimated to require four man-days to complete, at a cost of \$1500, including materials, equipment, and labor.

**Option C – Continue current maintenance practices without any changes**

- Staff will perform regular maintenance work as in past years, and will continue to document annual ditchline work with photographs.
- No additional work or resources necessary.

Since no significant road width changes have been documented since 1988 on Shoemaker Road, staff recommends Option C with no additional funding required.

DSO  
Attachment  
cc:

Reading File  
File Copy  
Bill Routzahn, Superintendent, Office of Highway Operations  
Donald Crum, Assistant Superintendent, Office of Highway Operations

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I a (2)



Shoemaker Road, looking west near west end of gravel segment, taken ca.1994.



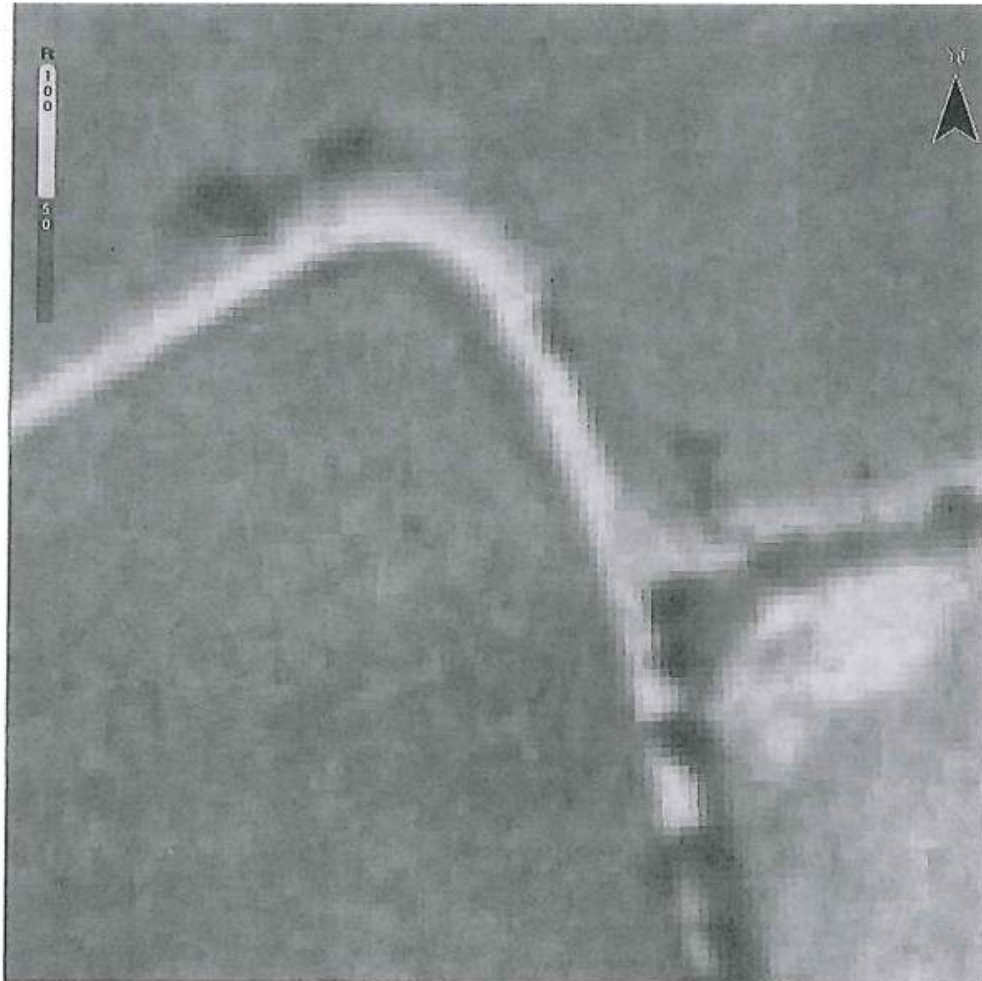
Shoemaker Road, looking west near west end of gravel segment, taken May 7, 2013.



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## Frederick County, MD At a Glance



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1988 aerial photo of a part of Shoemaker Road, approximately .3 miles east of  
Bollinger School Road

Frederick County Roads Board  
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## Frederick County, MD At a Glance



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2011 aerial photo of a part of Shoemaker Road, approximately .3 miles east of  
Bollinger School Road



Attachment 1



COMMISSIONERS

Jan H. Gardner  
President

David P. Gray  
Vice President

Kai J. Hagen

Charles A. Jenkins

John L. Thompson, Jr.

COUNTY MANAGER'S  
OFFICE

Ronald A. Hart  
County Manager

Barry L. Stanton  
Assistant County Manager

Joyce M. Grossnickle  
Administrative Officer

Robin K. Santangelo  
Public Information Officer

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Josephson Institute of Ethics.  
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**BOARD OF COUNTY COMMISSIONERS  
FREDERICK COUNTY, MARYLAND**

Winchester Hall • 12 East Church Street • Frederick, Maryland 21701  
301-600-1100 • FAX: 301-600-1849 • TTY: Use Maryland Relay  
www.co.frederick.md.us

June 8, 2009

Mr. Paul Allen  
12626 Shoemaker Road  
Taneytown, Maryland 21787

Re: Road Maintenance Methods on Shoemaker Road

Dear Mr. Allen:

Thank you for your letter dated May 8, 2009 expressing your concerns regarding the road maintenance methods on Shoemaker Road. I requested the Division of Public Works (DPW) to investigate your concerns. As I understand, on May 18, 2009, you personally met with Mr. Tom Meunier, Department Head for the Department of Highways and Transportation, and Mr. Bill Routzahn, Superintendent of Highway Operations, and visited the locations on Shoemaker Road that you referenced in your letter.

As you know, there continues to be a major difference of opinion between DPW staff members and you regarding the maintenance methods on Shoemaker Road. Your letter mentions several issues, specifically 1) staff ignoring the guidelines for the Rural Roads Program, 2) your perceived "widening" of the road, 3) removal of 18" to 24" of "grass" along your frontage, 4) grading 18" pass the end of a pipe, 5) potholes forming due to weeds, leaves and clumps of dirt graded into the road, 6) another harassment allegation and 7) removal of excess tar and chip along a section from Bollinger School Road to the gravel section.

Enclosed for your information is the DPW's response addressing your concerns in detail. If you have questions regarding this report, please contact Mr. Routzahn at 301-600-1564.

Again, thank you for contacting me concerning this issue. If you have any further issues or require additional information, please feel free to contact Mr. Routzahn or me at 301-600-3999.

Sincerely,

Ronald A. Hart  
County Manager

RAH/TJM/lis

Enclosure

pc: Board of County Commissioners w/Enclosure  
Barry Stanton, Assistant County Manager w/Enclosure  
Al Hudak, P.E., Director, Division of Public Works w/Enclosure  
Tom Meunier, P.E., Department Head, Department of Highways and  
Transportation w/Enclosure  
Bill Routzahn, Superintendent, Office of Highway Operations w/Enclosure  
Joyce Grossnickle, Administrative Officer, Office of the County Manager  
w/Enclosure  
File Copy w/Enclosure



**Public Works Division**  
**Frederick County, Maryland**  
*Department of Highways and Transportation*  
*• Office of Transportation Engineering •*  
118 North Market Street, Frederick, Maryland 21701  
(301) 600-1687 • FAX: (301) 600-2355 • TTY Use Maryland Relay  
-- Office Email: [OTranEngEmail@fredeco-md.net](mailto:OTranEngEmail@fredeco-md.net) --

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**Memorandum**

**To:** Ronald A. Hart, County Manager  
**Through:** Alan J. Hudak, P.E., Director ~~MAJ~~  
Division of Public Works  
**From:** Thomas J. Meunier, P.E., Department Head  
Department of Highways and Transportation *TM*  
**Date:** June 3, 2009  
**Subject:** Shoemaker Road  
**Reference:** Mr. Paul Allen's letter dated May 8, 2009 to Mr. Hart

**Issue:**

Mr. Allen's letter mentions several issues, specifically 1) staff ignoring the rural road program guidelines, 2) his perceived "widening" of the road, 3) removal of 18" to 24" of "grass" along his frontage, 4) grading 18" pass the end of a pipe, 5) potholes forming due to weeds, leaves and clumps of dirt graded into the road, 6) another harassment allegation, and 7) removal of excess tar and chip along section from Bollinger School Road to the gravel section.

**Background:**

The topic of Shoemaker Road maintenance has been discussed many times over the years with many of the items centering on the maintenance of the road and the perceived widening when re-grading the gravel section. This issue has been discussed regularly since 2003. Many times staff has been put in the middle between property owners, some not wanting anything done to the road and others wanting the road to be worked on.

The debate continues to be a major difference of opinion between staff and Mr. Allen regarding the maintenance methods on Shoemaker Road.

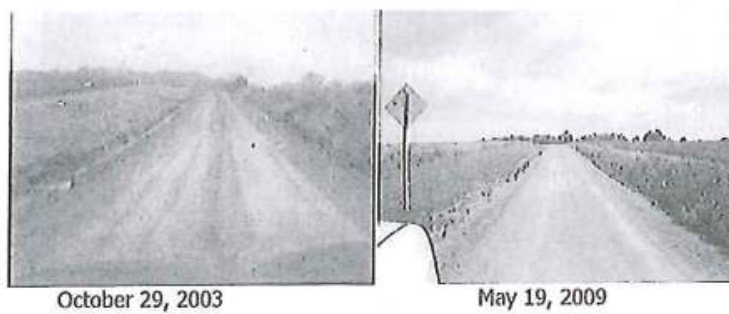
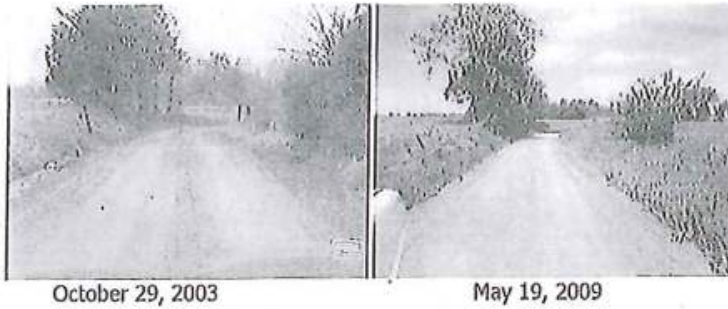
**Item 1)** staff ignoring the rural road program guidelines;

**Findings:** Adopted September 24, 2002, the rural road program guidelines Section 4 specifically mentions that "a rural roads shall continue to be maintained by the County on a regular schedule, and in such a manner that safe public access continues to be afforded. These guidelines are intended only to pertain to the County-maintained rights of way, including, but not limited to, the travel way and any contiguous ditches. The County shall continue to maintain the road in a continuing, responsible, manner equal to the effort that existed at the time the road was adopted into the program."

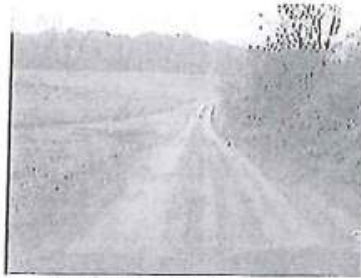


Ronald A. Hart, County Manager  
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Based on reviewing of the pictures in the file, it appears that the road has continued to be maintained generally in the same manner prior to the adoption of the program. We cannot find any substantial evidence to the contrary.



Ronald A. Hart, County Manager  
Page 3  
June 3, 2009



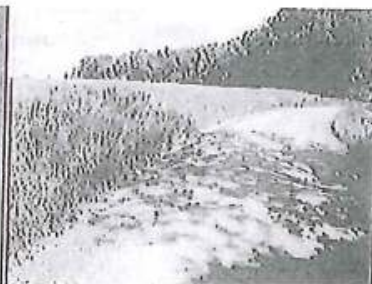
October 29, 2003



May 19, 2009



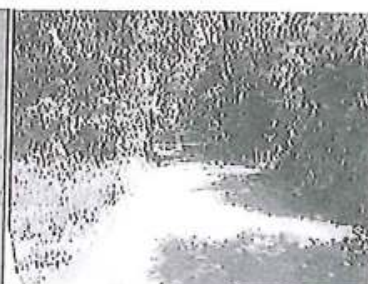
October 29, 2003



May 19, 2009



October 29, 2003



May 19, 2009



May 9, 2007



May 19, 2009

Ronald A. Hart, County Manager  
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June 3, 2009

**Action:** No action is needed on this item.

**Item 2)** his perceived "widening" of the road;

**Findings:** Again as stated in item 1), based on reviewing of the pictures in the file, it appears that the road has continued to be maintained generally in the same manner over the years without any widening. In fact, this same allegation of widening dates back many years. It was addressed by Mr. Hudak in his letter dated July 22, 1997, when it states that we continue to perform regular and routine maintenance on this road which does not include widening. We continue to not find any substantial evidence to the contrary.

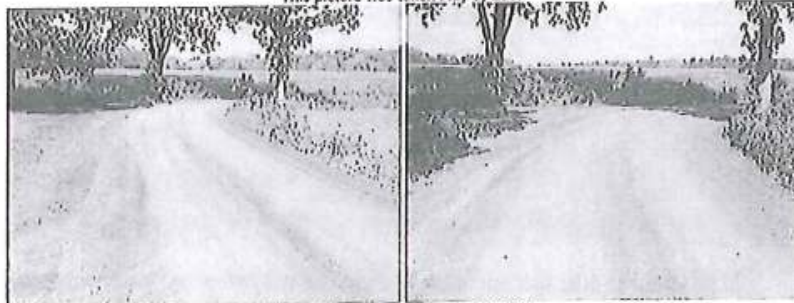
**Action:** No action is needed on this item.

**Item 3)** removal of 18" to 24" of "grass" along his frontage;

**Findings:** Re-grading of the road which requires pulling the loose stones back into the roadway at times pulls grass as well. Minimal loss of grass occurred in this instance.



This picture was taken May 9, 2007



These pictures were taken on 5/19/09.

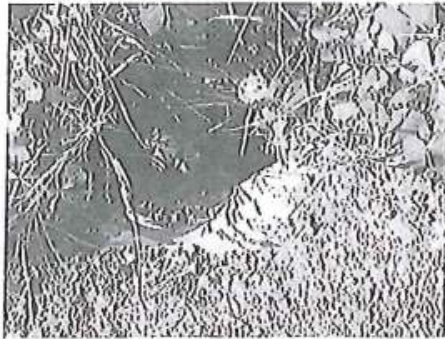
**Action:** If Mr. Allen wishes, we will provide some topsoil, seed and straw this area under his direction.



Ronald A. Hart, County Manager  
Page 5  
June 3, 2009

**Item 4)** grading 18" pass the end of a pipe;

**Findings:** The grading in this area did not go pass the end of the pipe. The last 8 to 10 inches of the pipe was actually crushed down which made it appear that the grading extended pass the end of the pipe.



**Action:** We will reshape the pipe so that it is no longer crushed down.

**Item 5)** potholes forming due to weeds, leaves and clumps of dirt graded into the road

**Findings:** Mr. Allen mentioned that he has never seen this type of grading occur on this road, pulling the weed, leaves and clumps of dirt into the road. This is incorrect in that this is exactly what is done when the ditches are cleaned each year. However, what we did not do in one or two areas was to remove the few clumps of dirt/grass that was dragged into the road. We did not observe any excessive potholes caused by this operation. I've attached two pictures taken May 2004 illustrating this operation.



**Action:** In the future when this operation is done, we will follow the grader and remove the weeds, leaves and clumps of dirt prior to finishing the re-grading of the road.



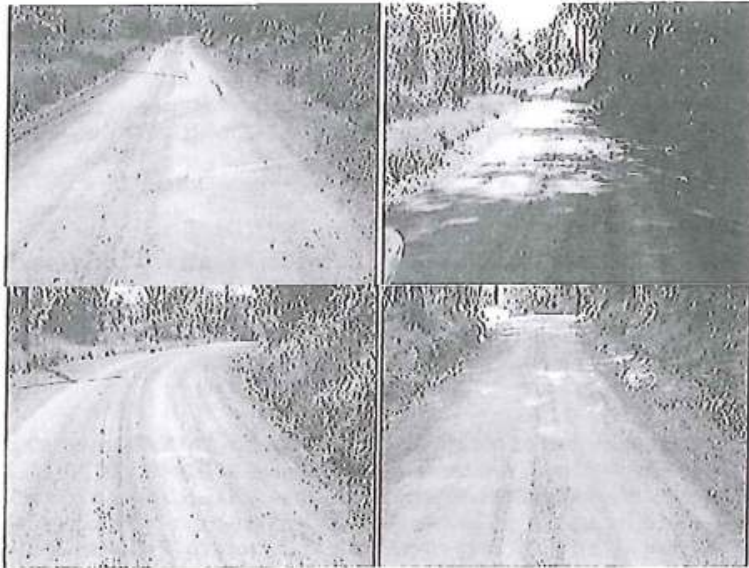
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- Item 6)** another harassment allegation;
- Findings:** Mr. Allen has made this allegation on several other occasions and each time we have been unable to substantiate his allegations. In a February 6, 2006 letter to Mr. Allen, Bill Routzahn informed Mr. Allen that if he had any evidence, documentation or proof of any inappropriate or illegal action taken by anyone working for the Frederick County Office of Highway Operations, please file a formal complaint with the Frederick County Attorney's Office. This same direction was given to Mr. Allen in your letter dated October 15, 2008. Again we are unaware of any filing then or now.
- Action:** We would recommend the same procedure for Mr. Allen to follow regarding his concern about possible harassment.
- Item 7)** removal of excess tar and chip along section from Bollinger School Road to the gravel section.
- Findings:** As we mentioned in our report dated September 10, 2008, some minor non-intentional widening was found to have occurred on this section. This happened because the equipment was not adjusted to match the existing road width. This allowed for asphalt emulsion and stone chips (less than 0.75 inches thick and ranging from 3" to 6" wide on each side of the road for a distance of about 900 to 950 feet) to be put down over top of grass and topsoil.
- Action:** Although this area will not be strong enough to handle vehicular traffic and won't last very long, staff will return the roadway to the prior width as determined by removal of excess material and re-establish those areas with topsoil, seed and straw if needed as promised. This work will not be done until later this summer or fall.

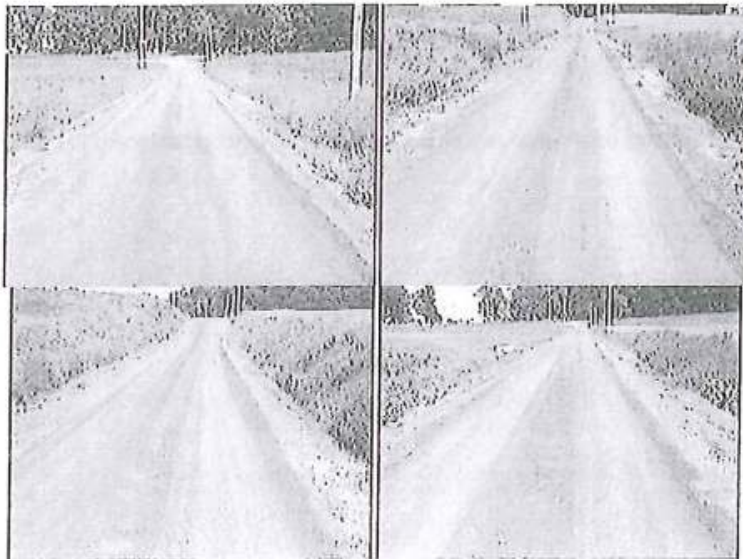
Please note that included on the next two pages are photos of other gravel roads in District 1 on May 19, 2009.

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**Debolt Road**

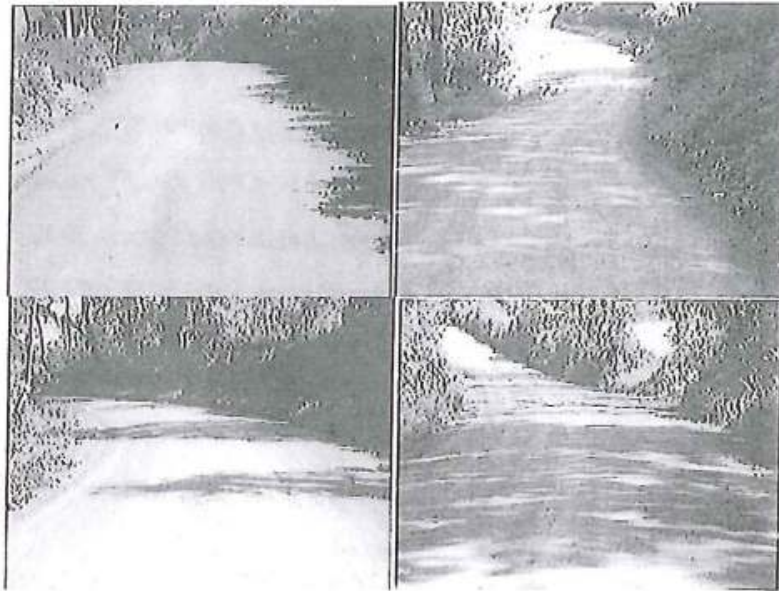


**Dern Road**



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### Eylers Valley Road





\* Visited w/ Bill on 4/30/09 No noticed of issues below. *MMH*

MR RONALD A. HART COUNTY MANAGER

PAUL ALLEN  
12626 SHOEMAKER RD.  
THREETOWN, MD.  
21787

DEAR MR. HART

5/8/09

I AM SENDING ANOTHER COMPLAINT  
ABOUT THE ROAD DEPARTMENT.

Rec'd  
5/13/09  
#09-363

UPON RETURNING MY 3RD FROM A TRIP I

SAW THE ROAD CREW HAD GRADED SHOEMAKER ROAD  
ON OR ABOUT APRIL 22, 2009, AS IN THE PAST IGNORING  
THE RURAL ROAD PROGRAM GUIDELINES - CREATED BY THE  
COMMISSIONERS AND IGNORING THE WISHES OF MOST OF  
THE LANDOWNERS NOT TO WIDEN THE ROAD, WELL  
THEY DID IT AGAIN, THIS TIME THEY REMOVED 18" TO  
24" OFF OF MY FRONTAGE, AND IN THE PROCESS GRADED  
18" PAST THE END OF ANOTHER DRAIN PIPE EXPOSING  
A 2 1/2 FT. DROP INTO THE DRAIN.

WE DO NOT NEED A LONGER DRAIN PIPE

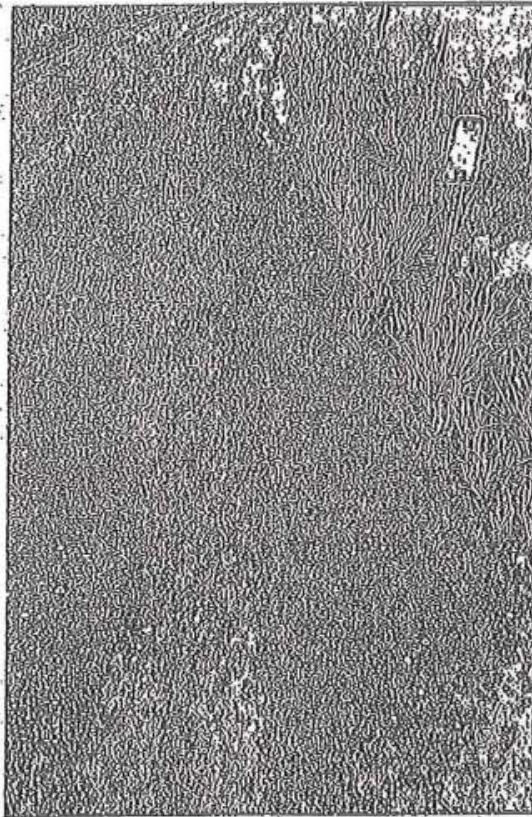
I WANT MY FRONTAGE RESTORED TO ITS ORIGINAL  
WIDTH, AND SOME DISCIPLINARY ACTION TAKEN SO THIS  
ON GOING HARASSMENT STOPS.

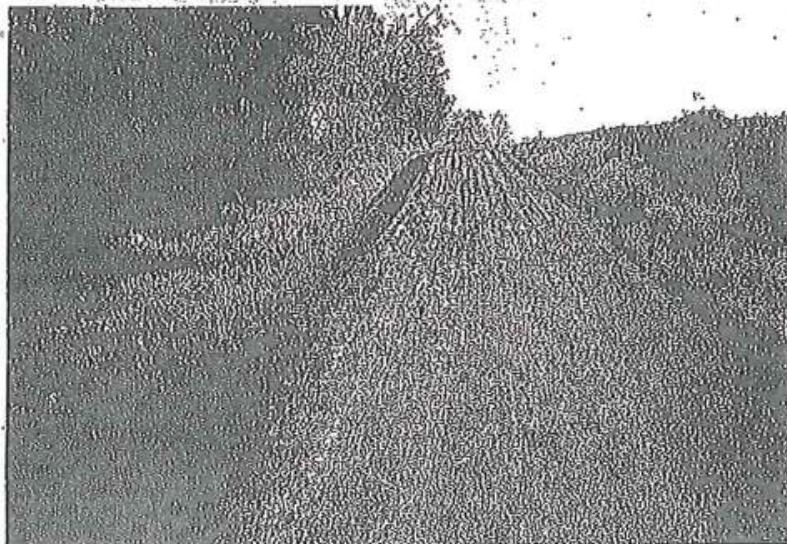
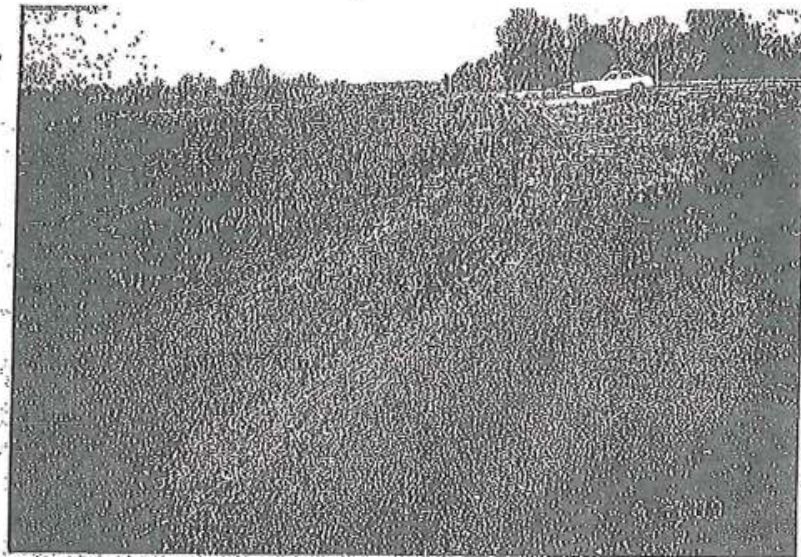
I HAVE LIVED ON SHOEMAKER ROAD FOR  
40 YRS. NOW AND HAVE NEVER SAW ANY ROAD CREW  
GRADE WEEDS, CLUMPS OF DIRT, AND LAST YEAR'S LEAVES  
INTO THE ROAD THEN FLATEN OUT THE TOP, WE HAD POT  
HOLES FORMING BY THE TIME I RETURNED ON THE 3RD OF MAY.  
THIS IS A NEW HARASSMENT TECHNIQUE EVEN FOR THIS  
ROAD CREW.

THE ROAD DEPT STILL HAS NOT REMOVED THE  
12" OR SO OF TAR AND CHIP THAT WE WERE TOLD WOULD  
BE REMOVED IN YOUR LETTER DATED 10/15/08  
I WOULD LIKE TO MEET WITH ANYONE WHEN THEY INSPECT  
THIS ROAD.

SINCERELY. *PAUL ALLEN* 410-756-2330











Tower 6 from the Vigilant Hose Company in Emmitsburg going around curve on Shoemaker Road.